

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

APPROXIMATELY \$20,000.00 IN U.S.  
CURRENCY,  
Defendant.

Case No. 2:23-cv-00153-DJC-JDP

ORDER

Plaintiff's motion for entry of default judgment was submitted for decision without oral argument by the magistrate judge on February 15, 2024. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1).

On February 23, 2024, the Magistrate Judge filed findings and recommendations herein which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007)

1 (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the  
2 district court and [the appellate] court . . .”). Having reviewed the file, the Court finds  
3 the findings and recommendations to be supported by the record and by the proper  
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The Findings and Recommendations filed February 23, 2024, are adopted in  
7 full;

8 2. Jose Garcia and Thomas Callahan is held in default;

9 3. The United States’ motion for default judgment and final judgment of  
10 forfeiture is granted;

11 4. Judgment by default be entered against any right, title, or interest of  
12 potential claimants Jose Garcia and Thomas Callahan in the defendant funds  
13 referenced in the above caption;

14 5. A final judgment is entered, forfeiting all right, title, and interest in the  
15 defendant funds to the United States, to be disposed of according to law; and

16 6. The Clerk of Court is directed to file the Default Judgment and Final  
17 Judgment of Forfeiture and to close this case.

18 IT IS SO ORDERED.

19  
20 Dated: **May 2, 2024**

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE